

§ 265.3

U.S.C., for various types of records, reflect the fact that under some circumstances the public interest may be better served by leaving the disclosure of particular records to the discretion of the Postal Service than by requiring their disclosure. As to those records the disclosure of which is not prohibited by statute, Executive Order, or regulation, the discretion vested in the Postal Service is exercised after giving consideration to the following: The effect of non-disclosure on the public's right to know about a particular matter; the effect of disclosure on the right of privacy of any affected individuals; the effect of disclosure on the public interest in the economical, efficient, and orderly operation of the nation's mail system; and any other factors that may be relevant under the circumstances.

[40 FR 7331, Feb. 19, 1975, as amended at 45 FR 44270, July 1, 1980]

§ 265.3 Responsibility.

(a) *Custodian*. Official records are in the custody of the postmaster or other head of a facility or department at which they are maintained, as defined at §262.2(c) of this chapter. These custodians are responsible for responding in the first instance to requests from members of the public for Postal Service records.

(b) *Manager, Records Office*. The Postal Service Manager, Records Office, under the Privacy Office, is responsible for the overall administration of this part, including the issuance of detailed instructions to custodians.

(c) *General Counsel*. The General Counsel decides timely appeals authorized by this part.

[40 FR 7331, Feb. 19, 1975, as amended at 45 FR 44270, July 1, 1980; 60 FR 57344, Nov. 15, 1995; 63 FR 6481, Feb. 9, 1998; 64 FR 41290, July 30, 1999; 68 FR 56558, Oct. 1, 2003]

§ 265.4 Inquiries.

Inquiries regarding the availability of Postal Service records should be directed to the appropriate records custodian. If the appropriate records custodian is not known, inquiries should be directed to the Manager, Records Office, U.S. Postal Service, 475 L'Enfant

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Plaza SW., Washington, DC 20260, telephone (202) 268–2608.

[60 FR 57345, Nov. 15, 1995, as amended at 64 FR 41290, July 30, 1999; 68 FR 56559, Oct. 1, 2003]

§ 265.5 Public reading rooms.

The Library of the Postal Service Headquarters, 475 L'Enfant Plaza SW, Washington, DC 20260–1641, serves as public reading room for the materials which are listed in paragraphs (a)(2), (3), (4) and (5) of §265.6 as available for public inspection and copying. Such of this material as has been created by the Postal Service on or after November 1, 1996, and has not been published and offered for sale, also will be available in electronic format at the Postal Service's world wide web site at <http://www.usps.com/foia>.

[63 FR 6481, Feb. 9, 1998, as amended at 68 FR 56559, Oct. 1, 2003]

§ 265.6 Availability of records.

(a) *Records available to the public on request*—(1) *General*. Postal Service records are available for inspection or copying at the request of any person, in accordance with the provisions of this part, except as otherwise provided by law or regulations, including but not limited to paragraphs (b) through (g) of this section. Certain categories of records of particular interest are available on a continuing basis as provided in paragraphs (a)(2), (3), and (4) of this section and are listed in a public index as provided in paragraphs (a)(4) and (5) of this section. Access to other records may be requested on an individual basis in accordance with the procedures provided in §265.7. Official records which are maintained on an electronic storage medium will normally be made available, in accordance with this part, as an exact duplicate of the requested original in a form readable by the human eye, such as a computer print-out. On request, records will be provided in a different form or format if they are maintained in the requested form or format or if they can be readily reproduced in the requested form or format.

(2) *Opinions*. All final opinions and orders made in the adjudication of